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**Case No. MD-06-0439A**

# INTERIM CONSENT AGREEMENT FOR PRACTICE RESTRICTION AND RESIDENTIAL INPATIENT TREATMENT

Holder of License No. **13119**  
For the Practice of Allopathic Medicine  
In the State of Arizona.

## INTERIM CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and William V. Gaul, M.D., ("Respondent") the parties agree to the following disposition of this matter.

1. Respondent has read and understands this Interim Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement"). Respondent acknowledges that he understands he has the right to consult with legal counsel regarding this matter.

2. By entering into this Interim Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Interim Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Interim Consent Agreement.

3. This Interim Consent Agreement will not become effective until signed by the Executive Director.

4. All admissions made by Respondent are solely for interim disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government regulatory agency

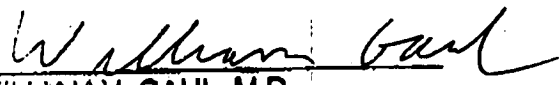
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proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

5. Respondent may not make any modifications to the document. Upon signing this agreement, and returning this document (or a copy thereof) to the Executive Director, Respondent may not revoke acceptance of the Interim Consent Agreement. Any modifications to this Interim Consent Agreement are ineffective and void unless mutually approved by the parties.

6. This Interim Consent Agreement, once approved and signed, is a public record that will be publicly disseminated as a formal action of the Board and will be reported to the National Practitioner Databank and on the Board's website.

7. If any part of the Interim Consent Agreement is later declared void or otherwise unenforceable, the remainder of the Interim Consent Agreement in its entirety shall remain in force and effect.

  
WILLIAM V. GAUL, M.D.

Dated: 6/08/06

**FINDINGS OF FACT**

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 13119 for the practice of allopathic medicine in the State of Arizona.

3. On September 14, 2004 the Board received a statutory report from Boswell Memorial Hospital that Respondent had been arrested for driving under the influence. Boswell also provided additional background information. Board Staff opened investigation number MD-04-1163.

4. On September 17, 2004 David Greenberg, M.D., a Board contracted addiction medicine specialist and Board Staff interviewed Respondent. Based on the interview Dr. Greenberg recommended that Respondent undergo inpatient evaluation within 10 days. On September 21, 2004 the Board's Executive Director issued a confidential interim order that required Respondent to undergo an inpatient evaluation. Respondent presented to the Betty Ford Center ("Betty Ford") this same day.

5. At the conclusion of the evaluation Betty Ford recommended Respondent discontinue the practice of medicine and enter inpatient or residential day treatment. Respondent accepted this recommendation and Respondent and the Board executed an Interim Consent Agreement for Practice Restriction dated November 4, 2004.

6. Respondent presented for the inpatient treatment and was discharged conditionally with staff approval. On February 10, 2005 Respondent and the Board entered into an Interim Consent Agreement for Respondent's participation in the Board's Monitored Aftercare Program ("February 2005 Agreement") pending the completion of case number MD-04-1163. A formal hearing is now pending regarding case number MD-04-1163.

7. The February 2005 Agreement prohibits Respondent from ingesting alcohol in any form, and provides that if Respondent ingests alcohol, he is to sign an Interim Consent Agreement for Practice Restriction agreeing not to practice medicine until such time as he successfully completes an inpatient or residential treatment program for chemical dependency designated by the Board or Staff and obtains affirmative approval to return to the practice of medicine.

8. On June 2, 2006 Board Staff received the results of a urine drug screen performed on May 30, 2006 pursuant to the February 2005 Agreement entered in case number MD-04-1163. The screen was positive for alcohol. Additional confirming tests were performed by the laboratory and the result received by Board Staff. Michel Sucher, M.D., a Board contracted addiction medicine specialist contacted Respondent. Respondent denied drinking and stated he used NyQuil around 6:00 a.m. on May 30, 2006 due to a severe cold.

9. Respondent has agreed to restrict his Arizona license.

10. There is evidence that if Respondent were to practice medicine in Arizona there would be a danger to the public health and safety.

## CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The Executive Director may enter into a consent agreement with a physician if there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25); A.A.C. R4-16-404.

## ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent shall not practice clinical medicine or any medicine involving direct patient care, and is prohibited from prescribing any form of treatment including prescription medications, until Respondent applies to the Board and receives permission to do so.

2. Within 20 days of the date of this Interim Consent Agreement, Respondent shall undergo long-term residential inpatient treatment at a Board approved treatment center. Respondent is responsible for all expenses relating to the treatment. Respondent shall sign a consent form to release all confidential treatment records to the Board. Respondent shall comply with any recommendations made by the treatment program, including any recommendation that he undergo further treatment.

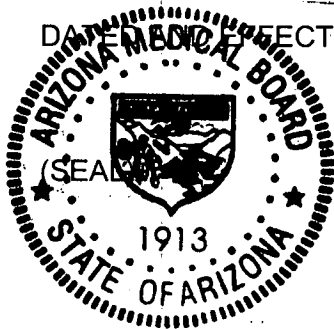
3. Respondent shall provide a copy of this Order to the treatment program.

4. **Although Respondent's practice is restricted he must make patient records available to his patients and must ensure continuity of his patients' care. Failure to do so may result in further Board disciplinary action.**

5. This Interim Consent Agreement vacates the February 10, 2005 Interim Consent Agreement for Participation in the Board's Monitored Aftercare Program.

6. This is an interim order and not a final decision by the Board regarding the pending investigative file and as such is subject to further consideration by the Board.

DATE EFFECTIVE this 8 day of June, 2006.



ARIZONA MEDICAL BOARD

By [Signature]  
TIMOTHY C. MILLER, J.D.  
Executive Director

ORIGINAL of the foregoing filed this 8 day of June, 2006 with:

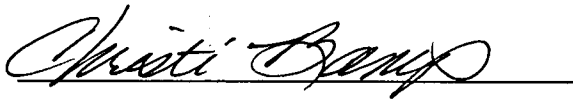
The Arizona Medical Board  
9545 East Doubletree Ranch Road  
Scottsdale, AZ 85258

1 EXECUTED COPY of the foregoing sent by  
2 US mail this 8th day of June, 2006  
3 to:

4 Jeff Padden  
5 Allen Price Padden & Sanders  
6 3131 East Camelback Rd., Suite 3110  
7 Phoenix, Arizona 85016-4500

8 and

9 William V. Gaul, M.D.  
10 (Address of Record)

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